

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA :
:
:
VS. : USDC DOCKET No.04-CR-10068-002
:
: (CRIMINAL COMPLAINT MAG. no.04-1651-CBS
ALEX PEREZ, :
:
Defendant. :

DEFENDANT'S AFFIDAVIT/AFFIRMATION IN SUPPORT OF
MOTION DIRECTING THE RETURN OF SEIZED PROPERTY

STATE OF NEW JERSEY)
COUNTY OF BURLINGTON) SS.:

Alex Perez makes the following affirmation under the penalties
of perjury, as per 28 USC §1746.

I, Alex Perez, am Defendant in the above-entitled case and action,
and respectfully move this Court to issue an Order directing the re-
turn of the property and articles seized, for safe-keeping purposes,
from the defendant on February 13, 2004.

The reasons why I am entitled to the relief I seek include the
following:

1) This Court has jurisdiction to grant the foregoing request and
to issue an Order for the return of property pursuant to Rule 41(g)
of the Federal Rules of Criminal Procedure.

2) The property seized from the Defendant on February 13, 2004
includes the following:

- o--- Belt
- o--- Sneakers
- o--- Wrist Watch (Tag Hauger) Serial Formula One
- o--- US\$ 425.00
- o--- Black Wallet (containing Personal ID Documents)
- o--- White Gold Chain
- o--- Sweater.

3) The above-listed Items were seized from the Defendant when he was arrested by the Everett Police Department on 2/13/04 at approximately 7:00 P.M. on RT 99 in Malden, Massachusetts. The Defendant was arrested by Det. Hall and Det. Connor--Everett Police Department Case #287654--and the Booking Officer was Sgt. Durant.

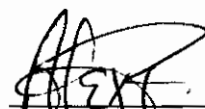
4) The Defendant is presently incarcerated at the FCI Fort Dix, located in Fort Dix, New Jersey, serving a 120-Month period of incarceration imposed by the U.S. District Court For The District of Massachusetts (Judge R. W. Zobel) on June 23, 2005, for violation of the conspiracy laws involving cocaine.

5) On April 28, 2006, Defendant requested the return of the above mentioned property from the U.S. Drug Enforcement Administration in Boston, Massachusetts (**EXHIBIT "A"**), but Defendant's attempt to recover his personal property was fruitless. The Drug Enforcement Administration did not answer Defendant's request.

WHEREFORE, I respectfully request that the Court grant the within motion, as well as such other and further relief and may be just and proper.

I declare under penalty of perjury (28 USC §1746) that the foregoing is true and correct to the best of my knowledge and belief.

DATED: January 25, 2005



Alex Perez, Defendant Pro-Se
Reg. No.19002-018
FCI Fort Dix East - Unit 5741-2
P.O. Box 2000
Fort Dix, New Jersey 08640

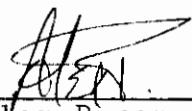
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, :
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VS. : USDC DOCKET No.04-CR-10068-002
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: (COMPLAINT MAG. No.04-1651-CBS)
ALEX PEREZ, :
: :
Defendant, ;

AFFIDAVIT OF SERVICE AND AFFIRMATION

Alex Perez, the Defendant, certifies that the original and two (2) additional copies of the foregoing Notice of Motion Directing The Return of Seized Property with Affidavit/Affirmation In Support were filed with the U.S. District Court for the District of Massachusetts on January 25, 2007, by depositing a brown envelope properly addressed to the Clerk of Court at John Joseph Moakley U. S. Courthouse, 1 Courthouse Way, Suite 2300, Boston MA 02210, in the hands of Unit Team, FCI Fort Dix East, Unit 5741, to be mailed via U. S. Postal Service (First Class - enough postage affixed). A true and accurate copy of the same moving papers were mailed on the same date to the Office of the U.S. Attorney, Michael J. Sullivan, at U.S. Courthouse, 1 Courthouse Way, Boston, MA 02210.

I also affirm, under the penalties of perjury (as per 28 USC §1746) that the content of the foregoing is true to the best of my knowledge and belief.



Alex Perez, Defendant Pro-Se
Reg. No.19002-018
FCI Fort Dix (E), P.O. Box 2000
Fort Dix, New Jersey 08640

Alex Perez
Reg. No. 19002-018
FCI Fort Dix (E) Unit 5741-2
P.O. Box 2000
Fort Dix, New Jersey 08640

April 28, 2006

U.S. Drug Enforcement Administration
ATTN.: CHRISTOPHER BORUM, DEA Task Force Agent
15 New Sudbury Street, Room E-400
Boston, Massachusetts 02203

RE: REQUEST FOR RETURN OF PRPPERTY SEIXED FOR
SAFE-KEEPING PURPOSES AT THE TIME OF ARREST
CRIMINAL COMPLAINT Mag. No.04-1651-LBS
DOCKET No.04-CR-10068-002

Dear Mr. Borum:

As above-indicated, I am presently incarcerated at the FCI Fort Dix, located in Fort Dix, New Jersey, serving a 120-Month period of incarceration imposed by the U.S. District Court for the District of Massachusetts (Judge Zobel) on June 23, 2005, for violation of the conspiracy laws involving controlled substances (cocaine)

I am directing my correspondence to you--The Complainant in this case--to respectfully request the return of my property seized for safe-keeping purposes at the time of my arrest on 02/13/04.

The property seized includes the following:

- o--- 001 Belt
- o--- 002 Sneakers
- o--- 003 Wrist Watch (Tag Hauger) Serial Formula One
- o--- 004 US\$425.00
- o--- 005 Black Wallet (containing Personal ID Documents)
- o--- 006 Sweater
- o--- White Gold Chain

To facilitate your investigation, I am also providing you with the following information:

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X
H
I
B
I
T
"A"

I was arrested by the Everett Police Department on 2/13/04 at approximately 7:00PM on RT 99 in Malden, Massachusetts. I was arrested by Det. Hall and Det. Connor (Everett Police Department Case #287654) and the Booking Officer was Sgt. Durant.

If any special arrangements should be made for me to take possession of my property, please do not hesitate in letting me know by contacting me at the above-listed address.

Earnestly waiting your response and thanking you for your time,

Respectfully,

A handwritten signature in black ink, appearing to read "Alex", is written over a horizontal line.

Alex Perez

CC: Personal File